

The message also announced that the Senate insists upon its amendment to the bill (H.R. 4810) "An Act to provide for reconciliation pursuant to section 103(a)(1) of the concurrent resolution on the budget for fiscal year 2001," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ROTH, Mr. LOTT, and Mr. MOYNIHAN, to be the conferees on the part of the Senate.

**MOTION TO GO TO CONFERENCE
ON H.R. 4810, MARRIAGE TAX
PENALTY RELIEF RECONCILI-
ATION ACT OF 2000**

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 553 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 553

Resolved, That upon receipt of a message from the Senate transmitting any Senate amendments to the bill (H.R. 4810) to provide for reconciliation pursuant to section 103(a)(1) of the concurrent resolution on the budget for fiscal year 2001, it shall be in order to consider in the House without intervention of any point of order a motion offered by the chairman of the Committee on Ways and Means or his designee to take from the Speaker's table the bill, with any Senate amendments thereto, to disagree to the Senate amendments, and to request a conference with the Senate thereon or agree to any request of the Senate for a conference thereon. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

SEC. 2. House Resolution 550 is laid on the table.

The SPEAKER pro tempore. The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), the distinguished ranking Member, my good friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 553 provides for consideration of a motion to go to conference with the Senate on H.R. 4810, the Marriage Tax Penalty Elimination Reconciliation Act. The motion will be debatable for 1 hour equally divided between the chairman and the ranking minority Member on the Committee on Ways and Means.

As my colleagues will recall, the House passed H.R. 4810 last week by a bipartisan vote of 269 to 159. This vote marked the second time that the House passed this legislation and the fourth time that it has voted to provide marriage tax penalty relief in this 106th Congress.

The will of the House is clear, and it is time that we finish the job and get this bill to the President for his signature. We are almost there. In fact, the Senate just passed its own version of the marriage tax penalty relief act by a bipartisan vote of 60 to 39. This resolution will allow the House to quickly respond to the Senate's actions by going to conference where the two bodies will negotiate a final marriage tax penalty elimination act that we can send to the President, and in doing so, we will give him the chance to make good on the words he spoke during his State of the Union speech.

During that speech, the President told the American people that we can make "vital investments in health care, education, support for working families and still offer tax cuts to help pay for college, for retirement, to care for aging parents and to reduce the marriage penalty. We can do these things without forsaking the path of fiscal discipline that got us to this point."

Mr. Speaker, Congress has helped the President meet his challenge. We have passed legislation to preserve Social Security for future generations, to provide affordable drug coverage to seniors through Medicare, to restore our national defense, to invest in education and to pay down the debt.

We have done all of these things in the context of a balanced budget, and we are still swimming in surplus cash.

□ 1715

Meanwhile, 25 million American couples suffer under the unfair financial burden imposed by the marriage penalty. On average, they pay \$1,400 more in taxes than they would if they were single; skip the whole marriage thing and just live together. What kind of message is that for the government to send? Where is the logic in taxing marriage, one of the most fundamental institutions in our entire society?

Mr. Speaker, \$1,400 is real money to American families. Families can use this income to pay for health care, invest in a child's education or plan for their retirement. Sound familiar? These are all the things the President says that government should finance before it provides tax relief.

Well, why do we not just cut out the middleman, the government, and let the American people make the decisions about what their needs are and where their money should be spent? Let us stop crippling them financially so they have to lean on the crutch of government.

Eliminating the marriage penalty will help these families, especially the middle class and minorities, whom the marriage penalty hits the very hardest.

Mr. Speaker, the good news is that the Republicans and many Democrats in Washington actually agree that the marriage penalty is bad policy. If we in

Congress can agree that the marriage tax should be abolished then there is no reason to delay any longer in reversing this inequity in the Tax Code. That is why the House Republican leadership is moving quickly to get this bill to conference and to the President so that he can sign it.

Today, with the passage of this resolution, we have the opportunity to show that we can come together in a bipartisan way to achieve something for the American people that will make a real difference in their lives. We can end this tax that robs hundreds, if not thousands, of dollars from some 25 million families each year, and let them keep their money to spend as they see fit on their priorities.

Mr. Speaker, there is no reason why at this time of peace and prosperity and budget surpluses that we cannot provide this tax equity and relief. It is time to end the delays, the excuses and the political trade-offs. It is time to get the job done.

I hope my colleagues will join me today in moving this issue forward and I hope the President will be true to his word and take the opportunity to sign this legislation when we put it on his desk. I urge a yes vote on the resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my dear friend, the gentlewoman from Ohio (Ms. PRYCE), for yielding me the time.

Mr. Speaker, the issue of changing the marriage tax is a very important one, but thus far my Republican colleagues have turned it into a political prop. Millions of Americans pay taxes in the higher income bracket after they get married than they did when they were single, but Democrats believe we should do something to alleviate that tax burden, especially on working families with children who are struggling to pay their bills, who are struggling to educate these children, and to keep them safe.

So far, my Republican colleagues have charted out a series of bills that do a lot more to help the rich get richer than they do help working families get shoes on their kids. Meanwhile, my Republican colleagues have rejected Democratic bills that would actually help middle-income working families by increasing the standard deduction for married couples until it is twice that of a single person. Our bills would also change the alternative minimum tax so that all promised taxes would actually take effect. That way working families would get the help they need rather than a lot of posturing just before a convention.

Mr. Speaker, I think this bill would be better named the Philadelphia Story, because it is a lot more about the Republican Convention in Philadelphia than it is about helping working

American people, and this is a part of the pattern. Almost a year ago my Republican colleagues tried to enact a trillion dollar package of tax cuts, primarily for the rich, that would have endangered Social Security and do just about nothing for the everyday Americans.

Now they are foisting that package on us once again, Mr. Speaker, and this time it is in increments; but if one reassembles it, if one puts it all together, the result is the same.

According to the Citizens for Tax Justice, the Republican plan gives the richest 1 percent of Americans an average of a tax cut of \$23,119. Meanwhile, it gives families with incomes of \$30,000 only \$131. That does not sound like equity to me, Mr. Speaker.

I think it is time my Republican colleagues stop writing bills to make the rich richer and started writing bills to help everyone else. This conference is a great place to start.

Mr. Speaker, I yield back the balance of my time.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. WELLER), my distinguished colleague, a gentleman who has put so much time and effort in this Marriage Penalty Relief Act, a gentleman who has brought two people and made them household names to the American public, Shad and Michelle, and we will hear about them now.

Mr. WELLER. Mr. Speaker, I thank the gentlewoman from Ohio (Ms. PRYCE), my good friend, and the gentleman from Massachusetts (Mr. MOAKLEY), for the opportunity to address this House.

Mr. Speaker, I rise in strong support of eliminating the marriage tax penalty. I rise in strong support of the House and Senate going to conference and sending to the President this week legislation that wipes out what I consider to be the most unfair tax of all.

We have often asked from the well of the House a pretty simple, basic question. That is, is it right, is it fair that under our Tax Code 25 million married working couples pay higher taxes just because they are married? Is it right, is it fair, that 25 million married working couples pay on average \$1,400 in higher taxes just because they are married? And today, the only way to avoid that marriage tax penalty when both the man and the women that are in the workforce is either not get married or get divorced.

It is wrong that under our Tax Code one pays higher taxes just because they are married.

I was so proud of this House just this past week when we passed and sent to the Senate legislation which wiped out the American tax penalty for 25 million couples. This afternoon, the Senate by a vote of 61 to 38, an overwhelming vote, including Democrats joining with Republicans, voted to eliminate the

marriage tax penalty. Of course, the bills are a little bit different. We have to work out the differences. The bottom line is we want to eliminate the marriage tax penalty.

Let me give an example of a couple from the district that I represent in the south side of Chicago in the south suburbs who suffer the marriage tax penalty. This is Michelle and Shad Hallihan. They are two public school teachers. They live just outside Joliet, Illinois. Shad teaches at Joliet High School. Michelle teaches at Manhattan Junior High. They suffer about \$1,000 in marriage tax penalty. Their combined income is about \$62,000. They are homeowners, and I would point out that since we introduced the bill to eliminate the marriage tax penalty a year and a half ago Shad and Michelle have since had a little baby. If the Democrats have their way, this child will probably be out of college before we eliminate the marriage tax penalty because there is always an excuse not to do it today.

The bottom line is, for Michelle and Shad Hallihan and for their new little baby Ben, \$1,400, the average marriage tax penalty, is real money. In the Joliet area, \$1,400 is 3 months of day care at a local child care center for little Ben. \$1,400 is 3,000 diapers for little Ben. \$1,400 is one year's tuition at a community college called Joliet Junior College in Joliet, Illinois. It is a washer and dryer for their home.

Our legislation that passed the House of Representatives will help people like Michelle and Shad Hallihan. The Democrats talk about their alternative. It would leave Michelle and Shad Hallihan out. They would still be stuck with the marriage tax penalty.

Under our legislation, which passed the House of Representatives with the vote of every Republican and also 48 Democrats who broke with their leadership to support the elimination of the marriage tax penalty, we helped couples, two public school teachers like Shad and Michelle Hallihan.

As I pointed out earlier, Shad and Michelle are homeowners. They also have a baby and, of course, they give money to church and charity. So that means they itemize their taxes. Under our proposal, we double the standard deduction to twice that for single people, under our proposal. That helps those who do not itemize, but if we are going to help people like Michelle and Shad Hallihan, we have to help itemizers. That means we need to widen the tax bracket so in the 15 percent bracket two joint filers, a couple with two incomes, have to be able to earn twice as much as what a single person can earn in that tax bracket.

Under our proposal, in the 15 percent tax bracket, we widen it so that two-earner households can earn twice as much. That will help Shad and Michelle Hallihan.

I would point out that the proposal that the gentleman from Massachusetts (Mr. MOAKLEY) talked about would not help those who itemize. And think about it. Most middle-class families who itemize their taxes itemize because they own a home or they give money to church and charity.

We as Members of Congress can all think of our neighbors back home, middle-class working families who pursue the American dream; they buy a home and because of their mortgage interest costs and because of their property taxes, they itemize their taxes.

The Democrats say if one itemizes their taxes, they are rich so they should continue to suffer the marriage tax penalty.

Now, Michelle and Shad make \$62,000 a year. Back in the south suburbs of Chicago, that is kind of a middle-class working family. Under the Democrat definition of rich, they are rich making \$62,000 a year.

Mr. Speaker, our goal is to make the Tax Code more fair. When I am in the south side of Chicago at a steel workers hall in the Tenth Ward or a legion post in Joliet or at a local iron workers hall in La Salle or a Chamber of Commerce function or coffee shop, people tell me their taxes are too high but they also point out that the Tax Code is unfair. That is why we should help people like Michelle and Shad Hallihan. Let us eliminate the marriage tax penalty. Let us go to conference.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the strong bipartisan votes for marriage tax penalty relief in both bodies demonstrate the will of Congress and the people that we represent. It is time to see if the President will join us by enacting this legislation. It is time to do the right thing. I urge a yes vote on this resolution.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. ARCHER. Pursuant to House Resolution 553, I move to take from the Speaker's table the bill (H.R. 4810) to provide for reconciliation pursuant to section 103(a)(1) of the concurrent resolution on the budget for fiscal year 2001, with a Senate amendment thereto, disagree to the Senate amendment, and agree to a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 553, the gentleman from Texas (Mr. ARCHER) and the gentleman from Maryland (Mr. CARDIN) each will control 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. ARCHER).

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there is not a great deal to say about this. This is a customary motion to go to conference with the Senate. I understand that the minority has a motion to instruct which is debatable for 1 hour.

Mr. Speaker, I yield back the balance of my time.

Mr. CARDIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think we did debate this issue when the bill was before us and the chairman is correct, we do have a motion to instruct that we would like to offer at the appropriate time.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 553, the previous question is ordered.

The question is the motion offered by the gentleman from Texas (Mr. ARCHER).

The motion was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT OFFERED BY MR. CARDIN

Mr. CARDIN. Mr. Speaker, I offer a motion to instruct conferees on the bill H.R. 4810.

The Clerk read as follows:

Mr. CARDIN moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendments to the bill H.R. 4810 be instructed, to the maximum extent permitted within the scope of conference—

(1) to maximize the amount of marriage penalty relief provided to middle and low income taxpayers,

(2) to minimize the additional marriage bonuses provided to taxpayers already receiving marriage bonuses under current law, and

(3) to resolve the differences in effective dates and phase-in amounts in a way which takes into account fiscal responsibility.

The SPEAKER pro tempore. Under clause 7(b) of rule XXII, the gentleman from Maryland (Mr. CARDIN) and the gentleman from Texas (Mr. ARCHER) each will control 30 minutes.

The Chair recognizes the gentleman from Maryland (Mr. CARDIN).

□ 1730

Mr. CARDIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this motion to instruct makes it very clear that the conferees should try to resolve the differences between the two bodies so that the maximum amount of relief goes to those who need the relief, those that are of low- and middle income, rather than going to the higher income taxpayers.

Secondly, it points out what we believe to be a major problem with the legislation that was passed by this body, and that is the legislation that was passed by this body cost about \$180 billion, of which about 50 percent of that relief went to individuals who ac-

tually had a marriage bonus; that is, their taxes were actually less as a result of them being married. They were able to take advantage of lower rates because the husband and wife filed a joint return. That happens frequently, where one of the spouses has the majority of the income.

What we are suggesting to the conferees is that we agree that we should try to deal with those that have the penalty; therefore, we should minimize the amount of tax relief that goes to those who are already receiving a bonus. Let us put the relief to those that are actually paying the penalty rather than putting the relief to those who are already getting a bonus for being married.

Lastly, we would point out that we have to resolve the effective dates and phase-in amounts in a way that takes into account fiscal responsibility. I would hope that all of us would agree that that is one of the issues that we would hope our conferees would resolve.

Mr. Speaker, I reserve the balance of my time.

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the motion to instruct that has been presented by the minority I am sure is taken in good faith, but I would say to the minority that it is the responsibility of our conferees to defend the House bill. When we go into conference with the Senate, that is what it is about, and we will measure up to our responsibility to defend the House bill.

The motion to instruct goes beyond that. It is primarily general in its content; it will bring about nothing in the conference, but it will attempt to prevent us from being able to accelerate the day when the marriage penalty relief will take effect, which many of us would like to consider. We believe that having to wait a full 6 years before it is fully vested is perhaps too long a period of time, and we may well want to consider accelerating that relief. But if this motion to instruct were binding, which it is not, it would prevent us from doing that. I cannot embrace it because I would be embracing something that would, on paper, at least, appear to limit our ability to do what is in the best interests of the people in this conference.

So I must reluctantly oppose this motion to instruct.

Mr. Speaker, I reserve the balance of my time.

Mr. CARDIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just point out what the motion to instruct says. In regards to the effective dates and phase-in amounts, we suggest that it be done in a fiscally responsible way. I do not know why any Member of this body would oppose the conference committee acting in a fiscally responsible

way. That is part of our responsibility here.

However, the main point of the motion to instruct, the main point is, yes, we want to help those people who are being penalized because they are married. Because they have a basically equivalent or similar income, they are paying a higher tax rate than they would if they were two individuals. Approximately half of our married couples are affected by the marriage penalty; about 50 percent fall into that category.

The problem is that the legislation that passed this body provides an equal amount of relief to every person who is married, regardless of whether they are in the penalty position or the bonus position. So the motion to instruct simply says to the conferees, target the relief to those that are penalized by their marital status. Use the tax relief in the most cost-effective way.

Mr. Speaker, I would hope that this body would agree with this motion to instruct. If we are able to do that, then I think we can have a strong bipartisan vote and get a bill not only that will come out of conference and will pass this body and the other body, but will also be signed by the President. It is for those reasons that this motion to instruct is offered.

Mr. Speaker, I reserve the balance of my time.

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume.

I would simply explain to the Members that this motion to instruct is actually an oxymoron, because on the one hand it says, within the scope of conference, limit the marriage bonus; and yet there is no difference between the Senate and the House bill in that regard. It is not possible for us to change what they call the marriage bonus.

But I happen to be unabashedly proud that within this legislation, in both the Senate and the House bill, and within the scope of conference it cannot be changed, a provision that helps stay-at-home moms and dads. They need economic help and relief as they rear their children. I do not walk away from that. That is a very positive part of both the Senate bill and the House bill, which the minority would like to undo and take away.

So this cannot be changed in conference within the scope of conference, and the minority understands that. I do not know why they put that the way they did in this motion to instruct.

Mr. Speaker, I reserve the balance of my time.

Mr. CARDIN. Mr. Speaker, I yield myself such time as I may consume.

Let me just point out that the other body gave a more generous provision in regards to the bonuses; and, therefore, it is within the scope of the conference.

But, Mr. Speaker, I think the key point here, and what we are trying to

do by this motion to instruct, is target the relief to those who pay the penalty and to try to work out a bill that could be signed into law that will provide relief to our taxpayers.

Mr. Speaker, I am prepared to yield back my time; however, I do not know whether the gentleman from Texas has any other speakers or not.

Mr. ARCHER. Mr. Speaker, I would say to the gentleman from Maryland that I would be prepared to yield back as well; however, I have a very strong request from the gentleman from Illinois (Mr. WELLER), who has been a big sponsor of this legislation to be able to speak, so I hope the gentleman from Maryland would indulge us in that regard.

Mr. CARDIN. Mr. Speaker, I was going to yield time for closing to the gentleman from Illinois from our side; but instead, I will reserve the balance of my time.

Mr. ARCHER. Mr. Speaker, I yield up to 5 minutes to the gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Mr. Speaker, let me just briefly address my friend from Maryland's motion to instruct. He talks about our legislation as to whether or not it should be fiscally responsible. It is fiscally responsible. We use that surplus tax revenue and use that to bring fairness to the Tax Code.

He says that we should delay implementation of the marriage tax relief, and I believe that would hurt those low-income and moderate-income and middle-income families that we want to help, so we do not want to delay that. So I am concerned about that idea.

Then he also talks about those who do not suffer the marriage tax penalty, whether or not they should receive any relief. The chairman pointed out the stay-at-home moms, people like my sister, Pat, who took a few years out of the workforce to be home with her children, so she could be home with the kids before they were old enough to go to school. I admire people who do that, and we do not mind helping them.

I would also point out in the Democrat alternative that the House voted down just this past week, they provided a similar proportion of relief to those who do not suffer the marriage tax penalty. So I would point out their proposal did the same thing.

Last, they talk about low- and moderate-income families. The bottom line is, their proposal would not help low- and moderate-income families who happen to be homeowners. We believe if you are a homeowner and itemize your taxes, you should receive relief as well.

Mr. Speaker, I have often come to the floor of this House, along with many of my colleagues, and asked a very basic and fundamental question, and that is, is it right, is it fair, that under our Tax Code a married working couple, a husband and wife with two in-

comes, pay higher taxes under our Tax Code just because they are married; higher taxes than an identical working couple who choose not to marry, who choose to live together outside of marriage, who actually save money by not participating in marriage. I think it is wrong that 25 million married working couples, on average, pay \$1,400 more in higher taxes just because they are married.

I have with me a photo of Shad and Michelle Hallihan. They are two public school teachers from Joliet, Illinois. They suffer the marriage tax penalty. Their income is about \$62,000 a year, their salary as teachers. Shad is at Joliet High School, and Michelle is at Manhattan Junior High. They are at similar incomes, but if they chose to stay single and just live together, they would save about \$1,000 in taxes; but they chose to get married. Under our Tax Code, they pay higher taxes.

I would point out that under our legislation, the only way we can eliminate that \$1,000 marriage tax penalty for Shad and Michelle Hallihan of the Joliet area is if we help those who itemize their taxes, because Michelle and Shad Hallihan, of course they have a little baby, Ben, who is in his first year, but they also happen to be homeowners. Like most middle-class families who itemize their taxes, they are homeowners. Because their combined property taxes and mortgage interest are more than the standard deduction, they itemize.

Mr. Speaker, the only way we can help those who happen to be homeowners, those who give to their institutions of faith and charity, marriage tax relief, is if we widen the tax bracket.

Under our legislation, we double the standard deduction for those who do not itemize, wiping out the marriage tax penalty for, I think, about 9 million couples.

But in order to help all 25 million married working couples who suffer the marriage tax penalty, we have to help those who itemize as well. Under our legislation, we widen the 15 percent tax bracket so people like Michelle and Shad Hallihan can earn twice as much and stay in the 15 percent tax bracket, the lowest bracket. Under our legislation, we wipe out the marriage tax penalty for people like Michelle and Shad Hallihan who make about \$62,000 a year.

Think about it: \$1,400, the average marriage tax penalty, that is a washer and a dryer. In Joliet, Illinois, for people like them, that is 3 months of day care for little Ben at a local day care center; it is a year's tuition at Joliet Junior College if Shad and Michelle would like to go back to school.

The bottom line is, in this Congress, we want to help our schools, we want to strengthen Medicare and Social Security, we want to pay down the national debt, and we are making tremen-

dous progress on that agenda; but we also want to make the Tax Code more fair, so that if a husband and wife choose to get married and choose to both be in the workforce, they do not pay higher taxes.

Our legislation accomplishes that goal, and we have come so far in this campaign to eliminate the marriage tax penalty over the last several years. We have an opportunity, with a strong bipartisan vote, and I would point out that the legislation we passed out of the House this past week was supported by every House Republican, and I was pleased to say that 48 Democrats broke with their leadership and joined to make it a strong bipartisan vote to eliminate the marriage tax penalty. That was a great accomplishment for this House, that Democrats and Republicans came together.

My hope is that by the end of this week when we send to the President legislation that wipes out the marriage tax penalty for 25 million married working couples, that the President will join with us. I hope we can make it a bipartisan effort. I urge a bipartisan "yes" vote.

Mr. CARDIN. Mr. Speaker, I am pleased to yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman from Maryland for his leadership, and I thank the chairman for his leadership, along with the ranking member, on the issues that really bear on both our investment in this Nation and a return of the American public's investment in the Federal Government back to them.

It saddens me to come to the floor of the House to have to argue against some of the very attractive pictures of young families with children, and that is not the direction that any of us are going. My district is a district that is enormously diverse and really has a large number of young families buying new homes and raising their children. I am very proud of the 18th Congressional District and some of the prosperity that we have gained and some of the opportunities for young families to get their first home.

□ 1745

So I do not believe that any of us who believe that the present marriage penalty tax format is misdirected can be accused of not working to support the needs of young families and those married couples who work so hard for what they have.

But I just came from a hearing, I say to the gentleman from Maryland (Mr. CARDIN), from discussing the issues of mental health resources for special needs children. We were actually in a meeting trying to find out how we could get more resources from this Federal Government, with the budget

caps that we have, with the appropriations fight we are in, and trying to share the few dollars that we have, and trying to help those children with special needs, those broken minds where those parents are struggling to get the resources.

We could not find them. We determined that community health centers, mental health centers, they are only in about 30 cities in our country, and we were struggling, what do we do with a parent who comes and says, I have two suicidal children, not one but two?

That is why this motion to instruct conferees is the right kind of compromise. I resent accusations that those of us who want to seek an opportunity to maximize the amount of marriage penalty relief provided to middle- and low-income families are against giving relief to married couples, or those of us who say that this effort that is being proposed by Republicans is too costly.

We do not have enough money for Medicare and social security, we do not have enough money to be able to provide, and when I say we do not have enough money, we are not pushing the Medicare benefit for prescription drugs, which would allow senior citizens to be able to get prescription drugs. We cannot do all of that and be able to provide for those very needy families and middle-income families.

So this motion to instruct to minimize the additional marriage bonuses, to minimize the additional marriage bonuses provided to taxpayers already receiving marriage bonuses under current law, it makes a lot of sense.

We have to balance the resources of the Federal government, and who in the world wants to again see the tragedies of a Columbine because some youngster is struggling with a mental health need which we did not see? Who wants to have children who are not immunized in this Nation? Who wants to go into communities where in fact those young married couples cannot even get affordable housing because they are priced out of the market?

The \$800 or the \$200 that they are getting out of the proposal that really goes to high-income married couples, to the greater degree, and has a huge result at the end in terms of how much it is going to cost us, is not the answer.

So I am supporting this motion to instruct conferees that can resolve the difference in effective dates and phase-in amounts in a way that takes into account fiscal responsibility. Yes, we should give marriage tax penalty relief. I want to do that. But I want to balance it, that the relief goes to low-income and middle-income, and I want those families who come to me and say, my children need special services in their schools, they need a mental health counselor, a school counselor, a nurse, they need not be like Kip Kinkel, who killed his parents; who,

when was in his classroom in Seattle, was crying out. He was using profane words, and rather than getting him mental health services or special needs services, he was sent to the principal for using bad language. I understand that, because there was no resources that he could access. What a tragedy. School violence is built up a lot around the turmoil of our children.

So I would hope that we take this opportunity not to accuse those of us who support this motion to instruct conferees as being against giving the marriage tax penalty relief. I believe this is the right direction to go.

Mr. ARCHER. I have no further requests for time, and I yield back the balance of my time, Mr. Speaker.

Mr. CARDIN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me just point out what this motion to recommit does. It is very simple. One, it says maximize relief to low- and middle-income people. It does not say 100 percent, exclusive, it says to maximize.

Second, it says minimize the relief to those achieving a bonus. It does not say zero or no relief, it says give the relief to those who had the penalty.

Third, it says be fiscally responsible.

Mr. Speaker, there is a chance for us to work in a bipartisan way. I would urge my colleagues to accept this motion to instruct so the conferees can work in a bipartisan way, bring a bill out that can pass this body and the other body and be signed by the President.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Maryland (Mr. CARDIN).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. CARDIN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, following this 15-minute vote on the motion to instruct, proceedings will resume on H.R. 4866, a motion to suspend on which the yeas and nays are ordered, as a 5-minute vote.

We will have a 17-minute vote on the motion to instruct, followed by a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 203, nays 222, not voting 9, as follows:

[Roll No. 408]

YEAS—203

| | | |
|--------------|----------------|---------------|
| Abercrombie | Hall (TX) | Obey |
| Ackerman | Hastings (FL) | Olver |
| Allen | Hill (IN) | Ortiz |
| Andrews | Hilliard | Owens |
| Baca | Hinchey | Pallone |
| Baird | Hinojosa | Pascarell |
| Baldacci | Hoeffel | Pastor |
| Baldwin | Holden | Payne |
| Barrett (WI) | Holt | Pelosi |
| Becerra | Hooley | Peterson (MN) |
| Bentsen | Hoyer | Phelps |
| Berkley | Jackson (IL) | Pickett |
| Berman | Jackson-Lee | Pomeroy |
| Berry | (TX) | Rahall |
| Bishop | Jefferson | Rice (NC) |
| Blagojevich | John | Rangel |
| Blumenauer | Johnson, E. B. | Reyes |
| Bonior | Jones (OH) | Rivers |
| Borski | Kanjorski | Rodriguez |
| Boucher | Kaptur | Roemer |
| Boyd | Kennedy | Rothman |
| Brady (PA) | Kildee | Roybal-Allard |
| Brown (FL) | Kilpatrick | Rush |
| Capps | Kind (WI) | Sabo |
| Capuano | Klecza | Sanchez |
| Cardin | Klink | Sanders |
| Carson | Kucinich | Sandlin |
| Clay | LaFalce | Sawyer |
| Clayton | Lampson | Schakowsky |
| Clement | Lantos | Scott |
| Clyburn | Larson | Serrano |
| Condit | Lee | Sherman |
| Conyers | Levin | Shows |
| Costello | Lewis (GA) | Siskis |
| Coyne | Lipinski | Skelton |
| Cramer | Lofgren | Slaughter |
| Crowley | Lowey | Snyder |
| Cummings | Lucas (KY) | Spratt |
| Davis (FL) | Luther | Stabenow |
| Davis (IL) | Maloney (CT) | Stark |
| DeFazio | Maloney (NY) | Stenholm |
| DeGette | Markey | Strickland |
| Delahunt | Mascara | Stupak |
| DeLauro | Matsui | Tanner |
| Deutsch | McCarthy (MO) | Tauscher |
| Dicks | McCarthy (NY) | Taylor (MS) |
| Dingell | McDermott | Thompson (CA) |
| Dixon | McGovern | Thompson (MS) |
| Doggett | McIntyre | Thurman |
| Dooley | McKinney | Tierney |
| Doyle | McNulty | Towns |
| Edwards | Meehan | Turner |
| Engel | Meek (FL) | Udall (CO) |
| Eshoo | Meeks (NY) | Udall (NM) |
| Etheridge | Menendez | Velazquez |
| Evans | Millender | Visclosky |
| Farr | McDonald | Waters |
| Fattah | Miller, George | Watt (NC) |
| Filner | Minge | Waxman |
| Ford | Mink | Weiner |
| Frank (MA) | Moakley | Wexler |
| Frost | Mollohan | Weygand |
| Gejdenson | Moore | Wilson |
| Gephardt | Moran (VA) | Wise |
| Gonzalez | Murtha | Woolsey |
| Gordon | Nadler | Wu |
| Green (TX) | Napolitano | Wynn |
| Gutierrez | Neal | |
| Hall (OH) | Oberstar | |

NAYS—222

| | | |
|--------------|----------------|-------------|
| Aderholt | Bonilla | Cooksey |
| Archer | Bono | Cox |
| Armey | Brady (TX) | Crane |
| Bachus | Bryant | Cubin |
| Baker | Burr | Cunningham |
| Ballenger | Burton | Danner |
| Barcia | Buyer | Davis (VA) |
| Barr | Callahan | Deal |
| Barrett (NE) | Calvert | DeLay |
| Bartlett | Camp | DeMint |
| Barton | Canady | Diaz-Balart |
| Bass | Cannon | Dickey |
| Bateman | Castle | Doolittle |
| Bereuter | Chabot | Dreier |
| Biggert | Chambliss | Duncan |
| Bilbray | Chenoweth-Hage | Dunn |
| Bilirakis | Coble | Ehlers |
| Bliley | Coburn | Ehrlich |
| Blunt | Collins | Emerson |
| Boehlert | Combest | English |
| Boehner | Cook | Everett |

| | | |
|---------------|---------------|---------------|
| Ewing | Kuykendall | Royce |
| Fletcher | LaHood | Ryan (WI) |
| Foley | Largent | Ryun (KS) |
| Forbes | Latham | Salmon |
| Fossella | LaTourette | Sanford |
| Fowler | Lazio | Saxton |
| Franks (NJ) | Leach | Scarborough |
| Frelinghuysen | Lewis (CA) | Schaffer |
| Gallegly | Lewis (KY) | Sensenbrenner |
| Ganske | Linder | Sessions |
| Gekas | LoBiondo | Shadegg |
| Gibbons | Lucas (OK) | Shaw |
| Gilchrest | Manzullo | Shays |
| Gillmor | Martinez | Sherwood |
| Gilman | McCrery | Shimkus |
| Goode | McHugh | Shuster |
| Goodlatte | McInnis | Simpson |
| Goodling | McKeon | Skeen |
| Goss | Metcalf | Smith (MI) |
| Graham | Mica | Smith (NJ) |
| Granger | Miller (FL) | Smith (TX) |
| Green (WI) | Miller, Gary | Souder |
| Greenwood | Moran (KS) | Spence |
| Gutknecht | Morella | Stearns |
| Hansen | Myrick | Stump |
| Hastings (WA) | Nethercutt | Sununu |
| Hayes | Ney | Sweeney |
| Hayworth | Northup | Talent |
| Hefley | Norwood | Tancredo |
| Herger | Nussle | Tauzin |
| Hill (MT) | Ose | Taylor (NC) |
| Hilleary | Oxley | Terry |
| Hobson | Packard | Thomas |
| Hoekstra | Paul | Thornberry |
| Hostettler | Pease | Thune |
| Houghton | Peterson (PA) | Tiahrt |
| Hulshof | Petri | Toomey |
| Hunter | Pickering | Trafficant |
| Hutchinson | Pitts | Upton |
| Hyde | Pombo | Vitter |
| Inslee | Portman | Walden |
| Isakson | Pryce (OH) | Walsh |
| Istook | Quinn | Wamp |
| Jenkins | Radanovich | Watkins |
| Johnson (CT) | Ramstad | Watts (OK) |
| Johnson, Sam | Regula | Weldon (FL) |
| Jones (NC) | Reynolds | Weldon (PA) |
| Kasich | Riley | Weller |
| Kelly | Rogan | Whitfield |
| King (NY) | Rogers | Wicker |
| Kingston | Rohrabacher | Wolf |
| Knollenberg | Ros-Lehtinen | Young (AK) |
| Kolbe | Roukema | Young (FL) |

NOT VOTING—9

| | | |
|------------|----------|------------|
| Boswell | Horn | Porter |
| Brown (OH) | McCollum | Smith (WA) |
| Campbell | McIntosh | Vento |

□ 1812

Messrs. EWING, BONILLA, TANCREDO and GOODLATTE changed their vote from “yea” to “nay”.

Ms. WOOLSEY, Mr. DAVIS of Illinois, Mr. RUSH and Mrs. MCCARTHY of New York changed their vote from “nay” to “yea”.

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the Chair appoints the following conferees:

Messrs. ARCHER, ARMEY and RANGEL.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the motion to suspend the rules.

DEBT RELIEF RECONCILIATION ACT FOR FISCAL YEAR 2001

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4866, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. NUSSLE) that the House suspend the rules and pass the bill, H.R. 4866, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 1, not voting 11, as follows:

[Roll No. 409]

YEAS—422

| | | |
|----------------|---------------|----------------|
| Abercrombie | Collins | Gillmor |
| Ackerman | Combest | Gilman |
| Aderholt | Condit | Gonzalez |
| Allen | Conyers | Goode |
| Andrews | Cook | Goodlatte |
| Archer | Cooksey | Goodling |
| Armey | Costello | Goss |
| Baca | Cox | Graham |
| Bachus | Coyne | Granger |
| Baird | Cramer | Green (TX) |
| Baker | Crane | Green (WI) |
| Baldacci | Crowley | Greenwood |
| Baldwin | Cubin | Gutierrez |
| Ballenger | Cummings | Gutknecht |
| Barcia | Cunningham | Hall (OH) |
| Barr | Danner | Hall (TX) |
| Barrett (NE) | Davis (FL) | Hansen |
| Barrett (WI) | Davis (IL) | Hastings (FL) |
| Bartlett | Davis (VA) | Hastings (WA) |
| Deal | DeFazio | Hayes |
| Bass | DeGette | Hayworth |
| Bateman | Delahunt | Hefley |
| Becerra | DeLauro | Herger |
| Bentsen | DeLay | Hill (IN) |
| Bereuter | DeMint | Hill (MT) |
| Berkley | Deutsch | Hilleary |
| Berman | Diaz-Balart | Hilliard |
| Berry | Dickey | Hinchey |
| Biggert | Dicks | Hinojosa |
| Bilbray | Dingell | Hobson |
| Bilirakis | Dixon | Hoefl |
| Bishop | Doggett | Hoekstra |
| Blagojevich | Dooley | Holden |
| Bliley | Doolittle | Holt |
| Blumenauer | Doyle | Hooley |
| Blunt | Dreier | Hostettler |
| Boehert | Duncan | Houghton |
| Boehner | Dunn | Hoyer |
| Bonilla | Edwards | Hulshof |
| Bonior | Ehlers | Hulshof |
| Bono | Ehrlich | Hunter |
| Borski | Emerson | Hutchinson |
| Boucher | Engel | Hyde |
| Boyd | English | Inslee |
| Brady (PA) | Eshoo | Isakson |
| Brady (TX) | Esholt | Istook |
| Brown (FL) | Etheridge | Jackson (IL) |
| Bryant | Evans | Jackson-Lee |
| Burr | Everett | (TX) |
| Burton | Ewing | Jefferson |
| Buyer | Farr | Jenkins |
| Callahan | Fattah | John |
| Calvert | Finler | Johnson (CT) |
| Camp | Fletcher | Johnson, E. B. |
| Canady | Foley | Johnson, Sam |
| Cannon | Forbes | Jones (NC) |
| Capps | Ford | Jones (OH) |
| Capuano | Fossella | Kanjorski |
| Cardin | Fowler | Kaptur |
| Carson | Frank (MA) | Kasich |
| Castle | Franks (NJ) | Kelly |
| Chabot | Frelinghuysen | Kennedy |
| Chambliss | Frost | Kildee |
| Chenoweth-Hage | Gallegly | Kilpatrick |
| Clay | Ganske | Kind (WI) |
| Clayton | Gejdenson | King (NY) |
| Clement | Gekas | Kingston |
| Clyburn | Gephardt | Klecza |
| Coble | Gibbons | Klink |
| Coburn | Gilchrest | Knollenberg |
| | | Kolbe |

| | | |
|--------------------|---------------|---------------|
| Kucinich | Ortiz | Sisisky |
| Kuykendall | Ose | Skeen |
| LaFalce | Owens | Skelton |
| LaHood | Oxley | Slaughter |
| Lampson | Packard | Smith (MI) |
| Lantos | Pallone | Smith (NJ) |
| Largent | Pascarell | Smith (TX) |
| Larson | Pastor | Snyder |
| Latham | Paul | Souder |
| LaTourette | Payne | Spence |
| Lazio | Pease | Spratt |
| Leach | Pelosi | Stabenow |
| Lee | Peterson (MN) | Stark |
| Levin | Peterson (PA) | Stearns |
| Lewis (CA) | Petri | Stenholm |
| Lewis (GA) | Phelps | Strickland |
| Lewis (KY) | Pickering | Stump |
| Linder | Pickett | Stupak |
| Lipinski | Pitts | Sununu |
| LoBiondo | Pombo | Sweeney |
| Lofgren | Pomeroy | Talent |
| Lowey | Porter | Tancredo |
| Lucas (KY) | Portman | Tanner |
| Lucas (OK) | Price (NC) | Tauscher |
| Luther | Pryce (OH) | Tauzin |
| Maloney (CT) | Quinn | Taylor (MS) |
| Maloney (NY) | Radanovich | Taylor (NC) |
| Manzullo | Rahall | Terry |
| Markey | Ramstad | Thomas |
| Martinez | Rangel | Thompson (CA) |
| Mascara | Regula | Thompson (MS) |
| Matsui | Reyes | Thornberry |
| McCarthy (MO) | Reynolds | Thune |
| McCarthy (NY) | Riley | Thurman |
| McCrery | Rivers | Tiahrt |
| McGovern | Rodriguez | Tierney |
| McHugh | Roemer | Toomey |
| McInnis | Rogan | Towns |
| McIntyre | Rogers | Trafficant |
| McKeon | Rohrabacher | Turner |
| McKinney | Ros-Lehtinen | Udall (CO) |
| McNulty | Rothman | Udall (NM) |
| Meehan | Roukema | Upton |
| Meek (FL) | Roybal-Allard | Velazquez |
| Meeks (NY) | Royce | Visclosky |
| Menendez | Rush | Vitter |
| Metcalf | Ryan (WI) | Walden |
| Mica | Ryun (KS) | Walsh |
| Millender-McDonald | Sabo | Walsh |
| Miller (FL) | Salmon | Wamp |
| Miller, Gary | Sanchez | Waters |
| Miller, George | Sanders | Watkins |
| Minge | Sandlin | Watt (NC) |
| Mink | Sanford | Watts (OK) |
| Moakley | Sawyer | Waxman |
| Mollohan | Saxton | Weiner |
| Moore | Scarborough | Weldon (FL) |
| Moran (KS) | Schaffer | Weldon (PA) |
| Moran (VA) | Schakowsky | Weller |
| Morella | Scott | Wexler |
| Myrick | Sensenbrenner | Weygand |
| Napolitano | Serrano | Whitfield |
| Neal | Sessions | Wicker |
| Nethercutt | Shadegg | Wilson |
| Ney | Shaw | Wise |
| Northup | Shays | Wolf |
| Norwood | Sherman | Woolsey |
| Nussle | Sherwood | Wu |
| Oberstar | Shimkus | Wynn |
| Obey | Shows | Young (AK) |
| Olver | Shuster | Young (FL) |
| | Simpson | |

NAYS—1

Nadler

NOT VOTING—11

| | | |
|------------|-----------|------------|
| Boswell | Horn | Murtha |
| Brown (OH) | McCollum | Smith (WA) |
| Campbell | McDermott | Vento |
| Gordon | McIntosh | |

□ 1821

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.